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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WILLIAM O'BRIEN,

Case No. C 06 1162 JSW

Plaintiff,

STIPULATION AND REQUEST FOR
VOLUNTARY DISMISSAL OF ENTIRE
ACTION

v.

AND ORDER THEREON

ELI LILLY AND COMPANY,

HON. JEFFREY S. WHITE

Defendants.


Pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff requests dismissal without prejudice of the entire action. Defendant ELI LILLY AND COMPANY, having filed an answer in this action, stipulate to that dismissal.


Dated: _____

Dated: 8/7/06

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REED SMITH LLP


Emily Charley
Attorneys for Plaintiff


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ELI LILLY AND COMPANY

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: August 8, 2006


The Honorable Jeffrey S. White
United States District Court Judge